UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/52/368
19 September 1997

ORIGINAL: ENGLISH

Fifty-second session
Agenda item 81

MAINTENANCE OF INTERNATIONAL SECURITY

Letter dated 16 July 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Saint Kitts and Nevis to the United Nations addressed to the Secretary-General*

I have the honour to draw your kind attention to the request for the inclusion of an item in the provisional agenda of the fifty-second session of the General Assembly entitled "Need to review General Assembly resolution 2758 (XXVI) of 25 October 1971 owing to the fundamental change in the international situation and to the coexistence of two Governments across the Taiwan Strait" included in the letter dated 14 July 1997 from a number of Member States addressed to you (A/52/143 and Add.1 and 2), and to the draft resolution attached to it (ibid., annex I).

The Government of Saint Kitts and Nevis is encouraged by the sincere and commendable steps undertaken by the Republic of China on Taiwan to enhance democracy with the necessary institutions and processes, and its determination to advance human rights and the equitable dispensation of justice.

Saint Kitts and Nevis acknowledges the sustained measures pursued by the Republic of China on Taiwan in the areas of politics and socio-economics, and their importance for the whole of Asia in terms of geopolitics, economics, security and long-term peace. The world community can ill afford to squander such progress. Therefore, attempts must be made to find and nurture common ground whereby the Chinese people on both sides of the Taiwan Strait can become appropriately integrated in a process that advances their interests. This augurs well for peace, not only in Asia but worldwide.

* The letter has been reproduced as received. The designations employed do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory or area, or of its authorities.

Saint Kitts and Nevis notes the attendant challenges of the present situation and shares the appreciation that this requires the valuable contribution and broad-based participation of the States involved. However, it is incumbent on the international community to develop innovative ways to assist so that all can take part in the decision-making process on the multitude of issues that have an impact on their lives, thereby ensuring that their interests are adequately represented.

The Government of Saint Kitts and Nevis is optimistic that the solutions are attainable, but recognizes that first there needs to be political will and goodwill if the basic aspirations of the Chinese people are to be advanced in a comprehensive manner.

Saint Kitts and Nevis would like to encourage the parties to engage in meaningful and renewed dialogue and to develop partnership and respect for each other despite differences that may exist on either side, recognizing that dialogue is key.

I have the honour to request that the present letter be circulated as a document of the General Assembly under agenda item 81.

(Signed) Kevin M. ISAAC
Chargé d'affaires

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/52/369
17 September 1997

ORIGINAL: ENGLISH

Fifty-second session
Agenda item 142 (a)

ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACEKEEPING OPERATIONS: FINANCING OF THE UNITED NATIONS PEACEKEEPING OPERATIONS

Death and disability benefits

Report of the Secretary-General

SUMMARY

The present report is submitted pursuant to paragraph 6 of part II of General Assembly resolution 51/218 E of 17 June 1997, in which the Assembly requested the Secretary-General to submit a report to it no later than 31 October 1997 containing detailed implementation proposals, including administrative and payment arrangements and procedures, as well as proposals for administrative resource reductions resulting from the new system for the payment of death and disability compensation.

The proposed implementation procedures are contained in section II of the present report.

Information on resource requirements relating to the administration of death and disability claims, including a discussion of the General Assembly's request for proposals for resource reductions, is contained in section III.

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I. INTRODUCTION

1. In its resolution 51/218 E of 17 June 1997, the General Assembly decided to adopt a system of self-insurance and established uniform and standardized rates for the payment of awards in cases of death and disability sustained by troops for incidents occurring after 30 June 1997. The key elements of the new system are:

(a) The payment of a one-time lump-sum award of $50,000 for service-incurred death;

(b) The payment of a one-time lump-sum award for service-incurred disability, calculated as a percentage of the award for death according to the degree of loss of function, based on the schedule contained in annex I to the report of the Secretary-General on death and disability benefits (A/49/906 and Corr.1).

2. The circumstances and considerations leading to the adoption of the new death and disability arrangements are described in reports of the Secretary-General (A/48/945 and Corr.1, A/49/906 and Corr.1 and A/50/1009), reports of the Advisory Committee on Administrative and Budgetary Questions (A/49/664, A/50/684 and A/51/646) and General Assembly resolutions 49/233 A of 23 December 1994, 50/223 of 11 April 1996 and 51/218 E of 17 June 1997.

3. In paragraph 6 of part II of its resolution 51/218 E, the General Assembly requested the Secretary-General to submit a report to the Assembly no later than 31 October 1997 containing detailed implementation proposals, including administrative and payment arrangements and procedures, as well as proposals for administrative resource reductions resulting from the new, simplified system for the payment of awards.

4. The present report provides a detailed description of the proposed administrative arrangements for the processing of death and disability claims for incidents occurring as from 1 July 1997. The Secretariat believes that the proposed procedures are responsive to the requirements set forth by the General Assembly in its resolution 51/218 E, in particular the requests that the Secretary-General ensure the speedy settlement of claims and that he seek assurances from Member States that amounts payable to beneficiaries shall be not less than the amounts paid or reimbursed to Member States for that purpose. The proposed implementation procedures are described in section II below.

5. Information on resource requirements relating to the adminstration of death and disability claims, including a discussion of the General Assembly's request for proposals for resource reductions, is contained in section III.

II. PROPOSED PROCEDURES FOR THE PROCESSING OF DEATH AND DISABILITY CLAIMS FOR INCIDENTS OCCURRING AS FROM 1 JULY 1997

6. A flow chart illustrating the procedures for processing death and disability claims for incidents occurring as from 1 July 1997 is presented as annex I to the present report.

A. Death or permanent disability in the mission area

1. Incidents resulting in death

7. Should an incident involving the death of a member of a national military contingent occur in the mission area, the contingent headquarters submits a Notification of Casualty (NOTICAS) form to the force headquarters, which in turn forwards the information to United Nations Headquarters, where it will be registered in the casualty database by the duty staff of the Situation Centre in the Department of Peacekeeping Operations. A sample NOTICAS form is attached as annex II.

8. Following an incident resulting in a death in the field, a board of inquiry is convened to determine, inter alia, the cause of the incident and to establish whether the death was service-incurred. If the board's report so concludes, the force commander, upon receipt of the report with complete documentation, must certify that the victim was a contingent member participating in the specified peacekeeping mission and that the death was service-incurred. Such certification (confirmation of death certificate) is transmitted via facsimile to United Nations Headquarters and a copy is sent to the commanding officer or senior officer of the mission to which the contingent member was assigned. An example of the confirmation facsimile is attached as annex III.

9. Upon receipt of a claim from the permanent mission concerned, following the necessary confirmation from the field as referred to in paragraph 8 above, a payment in the amount of $50,000 would be made in accordance with the Government's instructions regarding mode of payment. A sample claim form and accompanying note verbale are attached as annex IV.

2. Incidents resulting in disability

10. In the event that a member of a national military contingent is disabled as a result of a service-incurred incident, the force headquarters shall transmit the NOTICAS form to United Nations Headquarters. Should the contingent member require medical assistance beyond the level of treatment administered in an in-theatre facility, repatriation to the home or a third country may occur. The force's chief medical officer, in consultation, when applicable, with the senior medical officer of the field hospital and the contingent's medical doctor, will assess the degree of impairment of the injured contingent member on the basis of the schedule of loss of function contained in annex I to the report of the Secretary-General (A/49/906), the relevant portion of which has been reproduced as annex V. In the application of the schedule of awards, the American Medical

Association (AMA) Guide to Evaluation of Permanent Impairment, 4th ed.,[1] will be the authoritative reference document.

11. Once the percentage of impairment has been assessed by the force's chief medical officer, and provided that a board of inquiry has been convened and has determined that the incident was service-incurred, the force commander will send a facsimile confirming the findings of the board to United Nations Headquarters, with a copy to the commanding officer or senior officer of the mission to which the contingent member was assigned. A sample of the confirmation facsimile is attached as annex VI.

12. Upon receipt of the facsimile, the United Nations Medical Director will evaluate the degree of permanent loss of function determined by the force's chief medical officer and take a final decision in that regard. The Medical Director's decision will be communicated to the Finance Management and Support Service, Field Administration and Logistics Division, of the Department of Peacekeeping Operations.

13. Following receipt of the claim from the permanent mission, a payment equivalent to a specified percentage of the $50,000 principal amount, as approved by the United Nations Medical Director, will be made in accordance with the Government's instructions regarding mode of payment.

14. In the event that the medical determination of the Government and that of the United Nations Medical Director differ as to the degree of impairment for purposes of compensation, the question will be referred to a qualified third-party medical practitioner for final determination. Such qualified medical practitioner shall be selected jointly by the permanent mission of the Government concerned and the United Nations Medical Director. The United Nations will bear the costs related to any such third-party determination.

15. In the event that the United Nations and the Member State are unable to identify a mutually agreeable third-party medical practitioner, a medical board shall be convened to reconsider the determination regarding the degree of impairment. The medical board shall consist of a qualified medical practitioner selected by the permanent mission, the United Nations Medical Director or a medical practitioner selected by him or her and a third qualified medical practitioner who shall be selected by the first two and who shall not be a medical officer of the United Nations. The Government and the United Nations will share the costs associated with the medical board.

B. Death or permanent disability outside the mission area

16. In the event that an in-theatre incident results in the medical repatriation or evacuation of the contingent member to the home or a third country, the force headquarters will remain responsible for conducting an investigation and convening a board of inquiry to determine whether the incident was service-incurred or not. Should a contingent member be repatriated or evacuated to the home or a third country, the confirmation facsimile should state that the details of the percentage of impairment are to be provided by the troop-contributing country in line with the AMA Guide.[1]

1. Incidents resulting in death

17. In the event that a contingent member becomes ill or is injured in the mission area and, following medical evacuation to a third country, he or she dies, the United Nations Medical Director, after consulting with the attending physician in the third country or reviewing documentary medical evidence, will review the confirmation of death certificate provided by the attending physician. If death occurs in the home country, the Government is responsible for providing a copy of the death certificate and a brief explanation of the circumstances surrounding the death. In either case, the Government should submit details of the contingent member's death, including the medical report of the Government's senior medical authority via the Member State's permanent mission to the United Nations. The relevant documentation submitted by the Government should confirm that the death was the result of the service-incurred illness or injury.

18. Upon receipt of the documentation and the claim from the permanent mission concerned, a payment in the amount of $50,000 would be made in accordance with the Government's instructions regarding mode of payment.

2. Incidents resulting in disability

19. If a contingent member has been medically repatriated or evacuated to the home country or a third country following a service-incurred incident, the percentage of impairment will be assessed by the appropriate senior medical authority of the troop-contributing country on the basis of the schedule of awards set out in annex V and the AMA Guide.[1] The assessment of the percentage of impairment and the medical report of the Government's senior medical authority should be submitted by the Government together with the claim through its permanent mission to the United Nations.

20. Upon receipt of the claim, the United Nations Medical Director will review and make a decision on the percentage of impairment as claimed by the Government, and will communicate that decision to the Finance Management and Support Service, Field Administration and Logistics Division, of the Department of Peacekeeping Operations. Payment of the appropriate proportion of the $50,000 principal amount as decided by the United Nations Medical Director will be made in accordance with the Government's instructions regarding mode of payment.

21. In the event of a disagreement between the Government and the United Nations Medical Director as to the degree of impairment for purposes of compensation, the procedures set out in paragraphs 14 and 15 above shall apply.

C. Assurances from Member States

22. In paragraph 5 of part II of its resolution 51/218 E, the General Assembly requested the Secretary-General to seek assurances from Member States that amounts payable to beneficiaries for incidents referred to in the resolution should be not less than the amounts paid or reimbursed to Member States, so as

to avoid unequal treatment of contingent troops by Member States. Accordingly, the claim form is specifically designed to incorporate, as an integral part of the claim, an undertaking by the signatory giving assurances to the Organization that amounts payable to beneficiaries for death or disability shall not be less than the amounts paid or reimbursed to Member States.

D. Payment of death and disability awards

23. As previously stated, payment of claims for death and disability awards are made by the United Nations in accordance with the Government's instructions regarding mode of payment. Relevant details regarding the payment of claims are forwarded to the Government under cover of an official letter addressed to the permanent mission, as illustrated in the sample letter set out in annex VII.

III. STAFF RESOURCES ALLOCATED TO THE PROCESSING OF DEATH AND DISABILITY CLAIMS

24. Until 30 June 1997, the staffing resources allocated for processing death and disability claims under the old procedures in the Department of Peacekeeping Operations comprise one P-1/2 post and one gratis military officer. In paragraph 35 of his report on the support account requirements for the period from 1 July 1997 to 30 June 1998 (A/51/890), the Secretary-General requested two posts (one P-4 and one General Service) to strengthen the claims function, including the processing of contingent-owned equipment claims, third-party claims and death and disability claims under the old procedures. The Advisory Committee on Administrative and Budgetary Questions, in its related report (A/51/906 and Corr.1), recommended that this request be approved. The General Assembly endorsed the recommendation of the Advisory Committee in its resolution 51/239 of 16 July 1997. Furthermore, by paragraph 14 of that resolution, the Assembly approved additional resources amounting to $158,500 under general temporary assistance (equivalent to 12 months for one P-3 and one General Service post) earmarked for processing the backlog of claims. Separate quarterly reports on the use of staff allocated to the processing of death and disability claims under the old procedures as well as data on the number of claims filed, processed and paid will be prepared as requested in paragraph 17 of the resolution. The first of those quarterly reports will be submitted to the Assembly at its fifty-second session in October 1997.

25. The above-mentioned staff in the Department of Peacekeeping Operations assigned to process death and disability claims under the old procedures will also be responsible for processing Headquarters aspects of claims for incidents occurring as from 1 July 1997 under the new simplified procedures described in section II of the present report. As at 31 August 1997, 23 incidents of death and disability occurring after 30 June 1997 had been recorded. Pending review and comments by the General Assembly on the proposed simplified procedures described in the present report, no processing action has been taken, thus no experience has been gained to date on implementing the new procedures, either in the field missions or at Headquarters.

26. It is recognized that the simplified procedures contained in the present report should result in a reduction in the number of staff at Headquarters assigned to deal with death and disability claims once the backlog under the old procedures has been eliminated. However, since the elimination of the backlog is projected to take at least another two years and in the absence of experience with regard to the new procedures, no immediate reduction or savings can be identified at this stage.

IV. CONCLUSION

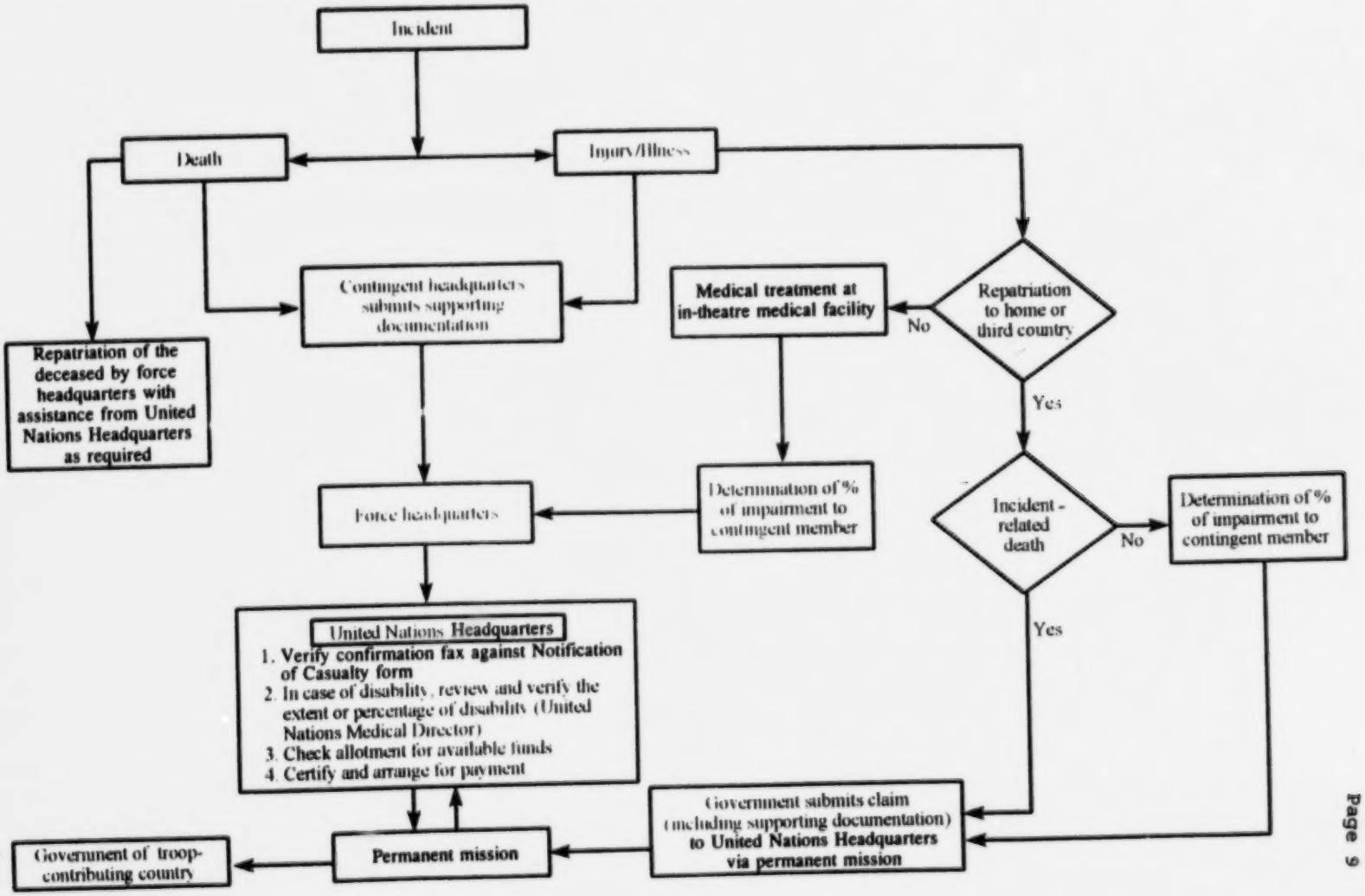
27. Subject to any revisions in the proposals contained in section II of the present report, it is the intention of the Secretary-General to implement the new procedures after the views of the General Assembly have been received.

Notes

[1] Guide to Evaluation of Permanent Impairment, 4th ed., American Medical Association, 1993 (ISBN 0-899-70-553-7).

ANNEX I

Procedures for processing death and disability claims for incidents occurring as from 1 July 1997


Incident
Death
Injury/Illness
Repatriation of the deceased by force headquarters with assistance from United Nations Headquarters as required
Contingent headquarters submits supporting documentation
Medical treatment at in-theatre medical facility
No
Repatriation to home or third country
Yes
Force headquarters
Determination of % of impairment to contingent member
Incident - related death
No
Determination of % of unpairment to contingent member
Yes
United Nations Headquarters
1. Verify confirmation fax against Notification of Casualty form
2. In case of disability, review and verify the extent or percentage of disability (United Nations Medical Director)
3. Check allotment for available funds
4. Certify and arrange for payment
Government submits claim (including supporting documentation) to United Nations Headquarters via permanent mission
Permanent mission
Government of troop-contributing country

ANNEX II

Notification of Casualty (NOTICAS) form

United Nations Nations Unies

Notification of Casualty (NOTICAS) form

NOTICAS No. _____ Mission: _____ Date: _____

Destination: United Nations Headquarters, Department of Peacekeeping Operations, New York
Situation Centre
Field Administration and Logistics Division
Medical Support Unit
Military Adviser

A. Individual data

1. Last name _____
2. First and middle names _____
3. Rank _____
4. Country of nationality _____
5. Gender _____
6. Service number _____
7. Passport number _____

B. United Nations data

1. United Nations identification number _____
2. Category _____
3. Status at time of incident _____

C. Next-of-kin data

1. Name _____
2. Address _____
3. Relationship _____

D. Incident data

1. Date and time of incident _____
2. Location of incident _____
3. Casualty type (death/illness/injury) _____
4. Location of victim _____
5. Cause of incident _____
6. Circumstances _____
7. Description of incident _____

E. Additional comments

ANNEX III

Facsimile confirmation of death certificate

United Nations Nations Unies

To: United Nations Headquarters, Department of Peacekeeping Operations, New York
Situation Centre
Field Administration and Logistics Division
Medical Support Unit
Military Adviser

Fax No.:

From: Force Commander [*Mission*]

Fax No.:
Tel. No.:

Page: 1 of 1

Date:

Subject: NOTICAS No. facsimile confirmation

Further to _____ NOTICAS No. _____ of _____, an investigation has
mission *date*

been completed into the accident involving _____. The Board
name

of Inquiry *has/has not* confirmed that this was a service-incurred death. The

Government of _____ *is/is not* eligible for the full death award.

The Board's report is being dispatched to the Field Administration and Logistics

Division this week.

ANNEX IV

A. Claim for death or disability of members of national military contingents sustained in the service of United Nations peacekeeping operations

1. Claim submitted by the Government of _____

2. In respect of _____

3. Service in _____

4. Claim for _____

(In case of disability following repatriation or evacuation to the home country or a third country, a medical report from the Government's medical authorities detailing the degree of loss of function or impairment based on annex I to the report of the Secretary-General (A/49/906) and the American Medical Association's Guide to Evaluation of Permanent Impairment, 4th ed., must be submitted with the claim.)

5. Cause of death or disability _____

6. Date of death or disability _____

7. Mode of payment or reimbursement, for example, by cheque, bank transfer, etc. _____

8. The Government of _____ undertakes to assure the United Nations that the amounts it has paid or will pay to the beneficiary(ies) of _____ *(name of contingent member concerned)* for death/disability are/shall be not less than the amounts payable or reimbursable by the United Nations to the Government.

9. Signed by _____

10. Date of claim _____

B. Note verbale submitted by a Government for death or disability of contingent troop members sustained in the service of United Nations peacekeeping operations as from 1 July 1997

Date and reference number

The Government of _____ has the honour to submit a death/disability claim on behalf of *(rank, last name and initials)*, who served with *(peacekeeping mission)*. This incident occurred on *(date)*.

Death

The amount claimed is US$ 50,000. *(Member States wishing payment in a currency other than United States dollars must specify the currency desired. Member States must also indicate whether payment is to be made by cheque or by bank transfer and supply the necessary information.)*

Disability

The amount claimed is the percentage of US$ 50,000 corresponding to the degree of loss or function based on the schedule contained in annex I to the report of the Secretary-General (A/49/906 and Corr.1) and the American Medical Association's Guide to Evaluation of Permanet Impairment, 4th ed.[a] The amount claimed is US$_____. *(Member States wishing payment in a currency other than United States dollars must specify the currency desired.)*

The Government of _____ assures the Secretary-General that amounts payable to beneficiaries for the above-noted death/disability shall not be less than the amounts received from the United Nations.

[a] A medical report from the Government's medical authorities detailing the degree of loss of function is required and should be attached to the claim.

ANNEX V

Schedule of awards[a]

(a) In the case of injury or illness resulting in permanent disfigurement or permanent loss of a member or function there shall be paid to the injured party a lump sum, the amount of which shall be determined by the Secretary-General on the basis of the schedule set out in paragraph (b) below, and in accordance with the principles of assessment set out in paragraph (c) below, and applying, where necessary, proportionate and corresponding amounts in those cases of permanent disfigurement or loss of member or function not specifically referred to in the schedule.

(b) Schedule (permanent disfigurement or permanent loss of member or function)

	Loss or total loss of use		Amount
(i)	Both arms or both hands, or both legs or both feet, or sight of both eyes		$50,000.00
(ii)	Arm	(At shoulder)	60% of (i)
		(At or below elbow)	57% of (i)
(iii)	Hand	(At or below wrist)	54% of (i)
(iv)	Thumb		22% of (i)
(v)	Fingers	First (index)	14% of (i)
		Second (middle)	11% of (i)
		Third (ring)	5% of (i)
		Fourth	3% of (i)
(vi)	Leg	(Above the knee)	40% of (i)
		(At or below the knee)	36% of (i)
(vii)	Foot	(At or below ankle)	28% of (i)
		Great toe	5% of (i)
		Any other toe	1% of (i)
(viii)	Loss of sight	One eye (presuming other is normal)	24% of (i)
(ix)	Loss of hearing		35% of (i)

(c) Compensation under the immediately preceding provisions shall be determined in accordance with the following principles of assessment, where these are applicable:

(i) The assessment for the loss, or loss of use, of two or more digits, or one or more phalanxes of each of two or more digits, of a hand or foot, shall be proportioned to the loss of the use of the hand or foot occasioned thereby;

(ii) The assessment for permanent total loss of use of a member shall be the same as for the loss of the member;

(iii) The assessment for permanent partial loss or loss of use of a member shall be proportionate to the degree of loss or loss of use of the member.

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[a] Extract from the report of the Secretary-General on death and disability benefits (A/49/906 and Corr.1, annex I). See ST/SGB/Staff Rules/Appendix D/Rev.1 and Amend.1.

ANNEX VI

Facsimile confirmation of illness or injury

United Nations Nations Unies

To: United Nations Headquarters, Department of Peacekeeping Operations, New York
Situation Centre
Field Administration and Logistics Division
Medical Support Unit
Military Adviser

Fax No.:

From: Force Commander *[Mission]*

Fax No.:
Tel. No.:

Page: 1 of 1

Date:

Subject: NOTICAS No. facsimile confirmation

Further to _____ NOTICAS No. _____ of _____, an investigation has
mission *date*

been completed into the accident involving _____. The Board
name

of Inquiry *has/has not* confirmed that this was a service-incurred illness/ injury. The force's chief medical officer, in consultation with the senior medical officer and the contingent's medical doctor, in accordance with annex I to the report of the Secretary-General (A/49/906 and Corr.1) and the American Medical Association's Guide to Evaluation of Permanent Impairment (4th ed.), has determined that the degree of impairment results in a disability of _____ per cent. The board's report is being dispatched to the Field Administration and Logistics Division this week.

/...

ANNEX VII

United Nations letter of payment or reimbursement to the relevant permanent mission

Date

Dear Ambassador,

This is in connection with the claim submitted to the United Nations on *(date of claim)* by the Government of _____ for payment/reimbursement for the death/disability of *(full name of contingent troop member)* in the service of *(full name of United Nations peacekeeping operation)*.

In accordance with the request by the Government of _____, payment/reimbursement in respect of *(last name of contingent member concerned)* is being made by the United Nations by *(specify mode of payment being effected)* in the amount of *(specify the amount)*.

Accordingly, enclosed is the cheque/voucher representing the United Nations payment/reimbursement.

The Secretary-General acknowledges with appreciation the assurances of the Government of _____ that the amounts paid/payable to the beneficiary(ies) of _____ are/shall be not less than the amounts paid/reimbursed by the United Nations for that purpose.

Please accept the assurances of our highest consideration.

His/Her Excellency
Mr./Ms. _____
Permanent Mission of _____
to the United Nations

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/52/370
S/1997/728
19 September 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 19 September 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to new violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia by miliary aircraft of the Turkish Air Force, recorded on 10 September 1997. On that day at 0815 hours, a Turkish tanker military plane entered the Nicosia flight information region from a north-easterly direction, then violated the national airspace of the Republic of Cyprus, flying over Apostle Andreas Cape and exited at 0848 hours heading in a south-easterly direction.

As stated in my previous letters, such unauthorized intrusions into the Nicosia flight information region and the airspace of the Republic are in violation of international air traffic rules and seriously endanger civil aviation flights over Cyprus. At the same time, they are in contravention with the provisions of the Security Council resolutions on Cyprus, which state that such overflights increase political tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish strongly to protest against the new violations of the sovereignty and territorial integrity of the Republic of Cyprus, which are in complete disregard of international law, the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 61 and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador, Permanent Representative
of the Republic of Cyprus
to the United Nations

UNITED NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/52/371
S/1997/727
19 September 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda items 36, 37 and 87
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE
PALESTINIAN PEOPLE AND OTHER ARABS
OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-second year

Identical letters dated 19 September 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

Israel, the occupying Power, continues with its drive to colonize Occupied Arab East Jerusalem. It has allowed illegal settlers to occupy a house in Ras al-Amud, a crowded Arab neighbourhood of East Jerusalem. This represents another flagrant violation of the Fourth Geneva Convention of 1949 and many Security Council and General Assembly resolutions, including resolutions ES-10/2 of 25 April 1997 and ES-10/3 of 15 July 1997, adopted at the tenth emergency special session on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory. This action is also another serious blow to the imperiled peace process.

The Israeli action came after some internal haggling, with the obvious aim of reaching the least costly method to achieve the goal of the present Israeli Government. The Israeli media have asserted that several ministers indeed knew in advance of the intention of the settlers. Some asserted that the Prime Minister himself knew and that he had asked for the postponement of the action until after the departure of the United States Secretary of State from the region.

One of the antagonists in this matter is a United States citizen, Irving Moskowitz. We informed you about some of his illegal actions in our letter of 20 August 1997. in this regard, we must stress the personal

responsibility for the violation of the Fourth Geneva Convention, which was emphasized in General Assembly resolution ES-10/3.

We stress also the duties of the international community, especially the Security Council, to take immediate action with the aim of reversing the Israeli action and bringing an end to their repeated violations.

I would be grateful if you would arrange to have the text of the present letter distributed as an official document of the General Assembly, under agenda items 36, 37 and 87, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations